

ORDINANCE 2-84



AN ORDINANCE AMENDING ORDINANCE 4-80 TO CHARGE FOR SEWAGE DISPOSAL SERVICES AFTER THE FACT, TO DECREASE ALLOWABLE RECEIPT OF PAYMENT PERIOD FROM SIXTY DAYS TO THIRTY DAYS AND TO PRESCRIBE SPECIFIC PROCEDURES FOR ENFORCEMENT OF COLLECTION OF CHARGES FOR SERVICE.

The intent of this Ordinance is to amend Ordinance 4-80 for the purpose of changing billing procedures, to bring them into line with a standard procedure of billing for services after said services have been received; to decrease the allowable payment period to a standard thirty days and to establish specific procedures for enforcement of collection of service fees when payment is not received in the manner prescribed. These changes are to set up administrative procedures that will be compatible with the billing procedures of other service entities within the Lake Shastina Community Services District with the objective of consolidating billings with these entities at some future date.

In consonance with the above, BE IT ORDAINED by the Board of Directors of the Lake Shastina Community Services District, Siskiyou County, California, that District Ordinance 4-80 be amended as follows:

1. That ARTICLE IV, Section 1. (a) read: The billing period for residential sewer service charges, including surcharges and penalties will be quarterly for services received the previous three months, beginning October 1, 1984.
2. That ARTICLE IV, Section 3. Payment of Bills, read: Bills shall be rendered at the end of each billing period and are payable upon presentation, except as otherwise provided herein.
3. That ARTICLE IV, Section 4. Penalties and Interest, read: Payment in full for services billed shall be received by the District Office within thirty (30) days of billing date or be subject to a basic penalty of 10% for nonpayment of the charges within the time and manner prescribed. If legal action is undertaken to collect said charges and basic penalty, an additional penalty of  $\frac{1}{2}$  of 1% per month on the charges and basic penalty shall be added as authorized by Government Code 61621.

In the event that any charges by the District remain unpaid for a period of ten (10) days after billing, the General Manager, or any officer of the District, is authorized, at any time thereafter, to execute, on behalf of the District, a certificate specifying the amount of such charges and the name and address of the person liable therefor, and file the certificate for record with the county recorder of any county. From the time of such recordation, the amount to be paid, together with interest and penalty, and the cost of recordation, shall constitute a lien upon all real property owned by, or thereafter acquired by, the debtor, or, if full charges and penalties are not paid within two weeks after written notification, the District may discontinue sewer service. The amount to be charged for renewal of service shall be the District's actual cost of discontinuing service plus the estimated cost of reconnection to the system in addition to all other charges, penalties and authorized legal expenses owed to the District by the owner of the property for which reconnection services are requested.

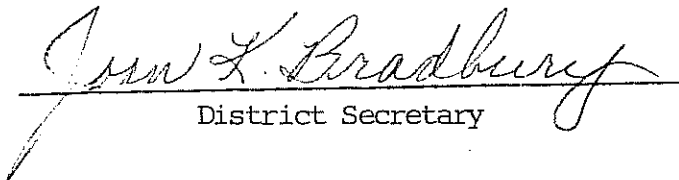
To preclude the expense associated with disconnecting and reconnecting the sewer system, the owner or resident who is responsible for the payment of the delinquent account shall be given, in writing, the following options:

- (a) Either to request the Lake Shastina Mutual Water Company to discontinue water services until all delinquent payments and associated penalties and costs have been paid, OR
- (b) To sign a written agreement to make equal monthly payments that will ensure the service fees and all associated penalties and costs are paid in full prior to the next quarterly billing. This option can be extended to cover two quarterly billing periods if mutually agreed upon by the General Manager and the individual accepting responsibility for the account.

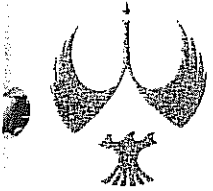
4. That ARTICLE IV, Section 5. Public Nuisance During Disconnection, read:  
During the period of such disconnection, inhabitation of such premises by human beings shall constitute a public nuisance, whereupon the Board shall cause proceedings to be brought for the abatement of the occupancy of said premises by human beings during the period of such disconnection. In such event, and as a condition of reconnection, there is to be paid to the District, in addition to the costs established in Section 4 of ARTICLE IV, reasonable attorney fees and cost of suit arising from said action.

\* \* \* \* \*

I hereby certify that the foregoing is a full, true and correct copy of an Ordinance duly passed and adopted by the Board of Directors of the Lake Shastina Community Services District, Siskiyou County, California, at a meeting thereof duly held on the 10th day of May 1984, by the following vote: AYES, and in favor thereof Directors: Barbier, Spahr, Trager and Worsnop. NOES, Director Dutro. ABSENT, None

  
District Secretary


5/21/84



# Lake Shastina Community Services District

## MINUTES MEETING OF 10 APRIL 1984

- I. This regular meeting of the Board of Directors of the Lake Shastina Community Services District was called to order by President Worsnop at 7:02 p.m. On Roll Call there were present Directors Barbier, Dutro, Spahr Trager and Worsnop.
- II. APPROVAL OF AGENDA: President Worsnop requested that item IX. C. Police Department's Authorization to Enforce DMV Code be placed as item "G" under VII . Unfinished Business; General Manager Smith requested that Wages & Benefits/Status Report be added as item "H" under VII . Unfinished Business, that a letter from the ED Unemployment Insurance Appeals Board be added as "C" under VI. Written Communications; that the Police Department Monthly Report be removed from the Consent Agenda and placed under VII . Unfinished Business as item A 4. that Overtime for Officer Waddell be placed as a new item under A 5. , Dir. Barbier that a letter from the FBI Academy re Chief Preston's application for admission be added as "D" under VI. Written Communications. With these modifications, upon motion made by Director Trager, seconded by Director Spahr, the Board voted to approve the Agenda.
- III. APPROVAL OF MINUTES: Upon motion made by Director Trager, seconded by Director Dutro, the Minutes of the Meeting of 13 March 1984 were approved as submitted.
- IV. PUBLIC HEARING: Proposed Ordinance 2-84 amending Ordinance 4-80 (sewer rate ordinance)
- This public hearing was opened by President Worsnop at 7:10 p.m. for the purpose of reading the proposed ordinance which by reference is incorporated herein. A portion of the ordinance refers to discontinuance of sewer service for nonpayment of sewer service fees as prescribed in the ordinance. The legality of this was questioned by a member of the audience to which General Manager Smith responded that he has checked with Mr. Terry Baker of the State Public Health Services and has been informed there is no violation in securing sewer services which is permissible under California District Code. This was the first reading of proposed Ordinance 2-84, there will be a second reading at the regular May meeting of the Board. There being no further input from those present, President Worsnop closed the public hearing at 7:21 p.m.

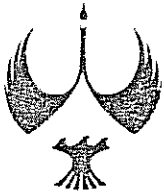


# Lake Shastina Community Services District

MINUTES  
MEETING OF 8 MAY 1984

- I. This regular meeting of the Board of Directors of the Lake Shastina Community Services District was called to order by President Worsnop at 7:01 p.m. On Roll Call there were present Directors Barbier, Dutro, Spahr, Trager and Worsnop.
- II. APPROVAL OF AGENDA: With Board approval, added under VI. Written Communications was C) General Manager's proposed letter to the Grand Jury Committee dated 8 May 1984; added under VII. Unfinished Business was: Leave of Absence for Chief Preston 1/5/85 - 3/24/85; Proposed letter to owners of improved property re police fees; Starting salary for Officer Waddell; added under IX. New Business was VFD Chief Allen's request for an increase in fire fees; moved from the Consent Agenda was Claims and Accounts Payable to IX. New Business. With these modifications, upon motion made by Director Spahr, seconded by Director Trager the Agenda was approved.
- III. APPROVAL OF MINUTES: Upon motion made by Director Trager, seconded by Director Barbier, the Minutes of the Special Meeting of 6 April and the Regular Meeting of 10 April 1984 were approved as submitted.
- IV. PUBLIC HEARING: President Worsnop opened the public hearing for the purpose of the second reading of Ordinance 2-84 amending Ordinance 4-80 (sewer rate ordinance). General Manager Smith read the Ordinance aloud. Noted was the additional paragraph recommended for incorporation into the proposed ordinance by District Counsel. President Worsnop closed the public hearing at 7:29 p.m. Director Spahr moved to approve Counsel's recommended addition, seconded by Director Trager and upon vote, carried unanimously. Director Barbier moved the Board adopt the proposed Ordinance 2-84, seconded by Director Spahr and upon vote AYES: Directors Barbier, Spahr, Trager and Worsnop. NOES: Director Dutro.
- V. APPROVAL OF CONSENT AGENDA: Upon motion made by Director Trager, seconded by Director Dutro, the Consent Agenda was approved.
- VI. WRITTEN COMMUNICATIONS:
- A. General Manager Smith read into the record the letter from the Siskiyou County Grand Jury Committee on Municipalities, Districts, Commissions.
- B. General Manager Smith read into the record the letter from Assistant County Counsel William Stanley responding to an inquiry from the above referenced Committee. Mr. Smith informed the Board that he has met with both

11/1/84



# Lake Shastina Community Services District

## CERTIFICATE OF POSTING

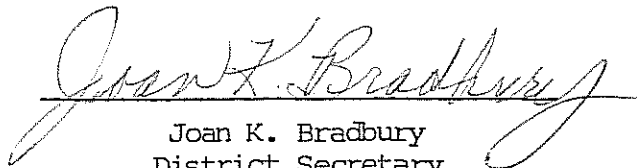
JOAN K. BRADBURY, under penalty of perjury, certifies as follows:  
That she is, and during all times herein mentioned was, the duly appointed and qualified Secretary of the Lake Shastina Community Services District, Siskiyou County, California;

That on the 21st day of May, 1984, she caused to be posted a full, true and correct copy of:

Ordinance 2-84, an ordinance amending Ordinance 4-80 to charge for sewage disposal services after the fact, to decrease allowable receipt of payment period from sixty days to thirty days and to prescribe specific procedures for enforcement of collection of charges for service.

in the official office of the District, 15440 "C" Juniper Peak Road, Weed, California located in the Lake Shastina Mutual Water Company construction yard.

Executed this 21st day of May, 1984.

  
Joan K. Bradbury  
District Secretary

*and bulletin boards removed 6/29/84*